

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:20-cv-00085-KDB
(5:16-cr-00015-KDB-DCK-1)**

JAMES HOLLAND HELMS,)
)
Petitioner,)
)
vs.) **ORDER**
)
UNITED STATES OF AMERICA,)
)
Respondent.)
_____)

UPON MOTIONS of the parties to hold this action in abeyance pending the issuance of the mandate by the Fourth Circuit Court of Appeals in United States v. Gary, 954 F.3d 194 (4th Cir. 2020), petition for cert. filed (Oct. 5, 2020) [Docs. 2, 4], following final disposition of Gary by the United States Supreme Court;

IT IS HEREBY ORDERED that the parties' motions to stay [Docs. 2, 4] are **GRANTED** and the Government shall respond to the Petitioner's Motion to Vacate within 30 days of the Fourth Circuit's mandate in United States v. Gary, 954 F.3d 194 (2020).

Signed: November 24, 2020



Kenneth D. Bell
United States District Judge

